

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
FT. MYERS DIVISION

CASE NO.: 9:15-bk-11056-FMD  
CHAPTER 7

In Re:

Robert E. Maxwell,  
and Janet S. Maxwell  
Debtors

AFFIDAVIT IN SUPPORT OF  
MOTION FOR RELIEF FROM STAY

STATE OF Florida )  
COUNTY OF Broward )

BEFORE ME, the undersigned, Notary Public, personally appeared Nathalia Marin,  
who is known to me and after being by me first duly sworn, deposes and says the following:

1. I am making this Affidavit in connection with and support of the Motion for Relief from stay filed by Movant, Bayview Loan Servicing, LLC (hereinafter "Secured Creditor"), a secured creditor in the above styled bankruptcy proceedings.
2. Secured Creditor holds the subject Note and Mortgage.
3. I am familiar with the loan made by BankUnited, FSB to Janet S. Maxwell and Robert Maxwell, which is the basis for Secured Creditor's status.
4. Secured Creditor maintains a computerized account of the loan including all receipts disbursements, charges and credits.
5. The amount of the indebtedness and the nature and extent of default set forth in the motion is derived from said computerized account of the Loan.
6. I am the Document Coordinator (title) for Secured Creditor. In that capacity, I have access to said computerized account records.
7. Said records are made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters, the records are kept in the

course of Secured Creditor's regularly conducted activity and are made by Secured Creditor as a regular practice.

8. In connection with this case, I have reviewed the aforementioned computerized account records, the loan documents and other business records of Secured Creditor.

9. That the subject loan has an outstanding principal balance of \$235,370.22, plus advances made, attorneys' fees and costs, and interest accruing thereon in accordance with the loan documents.

10. The Debtors have defaulted on payments due to Secured Creditor by failing to make payment due on October 21, 2014, and all subsequent payments.

11. I have reviewed the documents attached as exhibits to the Motion and they are true and accurate copies of the original documents.

12. This Affidavit is signed under penalty of perjury as being true and correct based on my personal knowledge of Secured Creditor's books and business records and is intended to show that there is available competent testimony which can be introduced at evidentiary hearing, if necessary.

**FURTHER AFFIANT SAYETH NAUGHT**

The facts stated herein are true. In verification of the same, I subscribed my signature hereto.

Sworn to by me on this 4<sup>th</sup> day of February, 2016.

  
Affiant

Sworn to and subscribed before me on this 4<sup>th</sup> day of February, 2016.

  
Notary Public

My Commission Expires:

June 12, 2017

